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Liaison Counsel for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRIAN D. GARTNER, derivatively
on behalf of MUSCLEPHARM
CORPORATION,

Plaintiff,

v.

BRAD PYATT, LAWRENCE S. MEER,
DONALD W. PROSSER, RICHARD
ESTALELLA, JEREMY R. DELUCA,
MICHAEL J. DORON, CORY
GREGORY, L. GARY DAVIS, JAMES
J. GREENWELL, JOHN H. BLUHER,
and DANIEL J. MCCLORY,

Defendants,

and

MUSCLEPHARM CORPORATION,

Nominal Defendant.

Case No.: 2:16-cv-00553

**STIPULATION AND
ORDER REGARDING
VOLUNTARY DISMISSAL**

[ECF No. 19]

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

WHEREAS, there is currently a shareholder derivative action on behalf of nominal party MusclePharm Corporation, against certain of its current and former directors and officers pending before this Court;

WHEREAS, the parties hereby stipulate to the dismissal of the action under Rule 41 of the Federal Rules of Civil Procedure without prejudice;

WHEREAS, the parties agree that each party shall bear its own costs and expenses; and

WHEREAS, no defendant in this action has entered into a settlement with plaintiff in connection with this voluntary dismissal and neither plaintiff nor their counsel have received, nor will receive, any form of consideration from any defendant in exchange for the dismissal of this action.

IT IS HEREBY STIPULATED AND AGREED by the parties, through their respective counsel of record, as follows:

1. The action shall be dismissed without prejudice; and
2. Each party shall bear its own costs and expenses.

Dated this 14th day of November, 2016.

Dated this 14th day of November, 2016.

McDONALD CARANO WILSON LLP

MUCKLEROY LUNT, LLC

By: /s/ Jeff Silvestri
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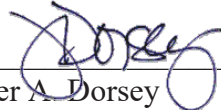
*Attorneys for Richard Estalella,
Michael J. Doron and Cory Gregory*

Attorneys for Plaintiff Brian Gartner

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this case is
DISMISSED without prejudice, each party to bear its own costs and attorney's fees. The Clerk
of Court is instructed to **CLOSE** this case.

Dated: December 19, 2016



Jennifer A. Dorsey
United States District Judge

Respectfully Submitted by:

MUCKLERROY LUNT, LLC

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